CORPORATIONS—SHAREHOLDERS' LIABILITY AFTER TRANSFER.—The effect of transferring stock in a corporation to relieve the former stockholder from liability as such is considered in *Rochester & K. F. L. Co.* v. *Raymond* (N. Y.), 47 L. R. A. 246, which holds that a subscription to stock does not imply an agreement to pay for it in full, but is only a contract to enter into the relation of stockholder, and that, if a corporation permits a transfer of stock by canceling the certificate and issuing a new one to the purchaser, whom it attempts to hold as stockholder, it ratifies the transaction and cannot subsequently deny that the transfer is valid. With this case is a note reviewing the decisions on the effect of such a transfer upon liability for unpaid subscriptions.

In Virginia, it is declared by statute that on any assignment of shares, the assignee and assignor shall be severally liable for all installments, accrued or to accrue. Va. Code, sec. 1130.

PUBLIC CORPORATIONS—LIABILITY IN TORT.—The managers of a public incorporated institution for the insane, owned and controlled by the State, but having power to sue and be sued, diverted the water of a stream for the uses of the institution, to the injury of a lower riparian proprietor. *Held*, That the institution was liable for damages. *Bank of Hopkinsville* v. *Western Ky. Asylum* (Ky.), 56 S. W. 525.

This decision is based on the previous Kentucky case of *Herr* v. *Central Ky. Lunatic Asylum*, 30 S. W. 971, 28 L. R. A. 394, in which it was held that a public charitable corporation was subject to injunction against continuing a nuisance by the fouling of a stream and casting sewage upon the land of a lower proprietor.

It will be noticed that in each of these cases there was an invasion of the property of the plaintiff, and a virtual taking of the property without just compensation. The cases are therefore in line with that of *Garrett* v. *Lunatic Asylum*, 27 Gratt. 163.

In *Williamson* v. *Louisville Industrial School*, 95 Ky. 251, 23 L. R. A. 200 the same court held that a public charitable corporation was not responsible for the negligent or malicious wrongs of its officers and servants, resulting in personal injuries to one of the inmates. This case has its counterpart in the recent Virginia case of *Maia* v. *Eastern State Hospital*, 97 Va. 507, 5 Va. Law Reg. 534.

This distinction between the liability of such corporations for the wrongful invasion of the property of another, resulting in a benefit to the corporation, and mere negligences of their officers and agents, is discussed in the editorial note to *Maia* v. *Eastern State Hospital*, 5 Va. Law Reg. 543.

SETTING OFF ONE JUDGMENT AGAINST ANOTHER.—In *Zinn* v. *Dawson*, 34 S. E. 784, the Supreme Court of West Virginia holds that where the defendant in an action at law has a set-off, in the shape of a judgment against the plaintiff, he need not plead it as a set-off in the action, but may allow judgment to go by default, and may afterwards, in the same court, apply to have the judgment against him reduced *pro tanto* by the set-off. Hence, the remedy at law being complete, equity will not entertain a suit on behalf of the defendant in the action at law, to enjoin the judgment and to let in the set-off.

"That one judgment," says the court, "may be set off against another, and the larger one discharged *pro tanto*, see *Skrine* v. *Simmons*, 36 Ga. 402; also, *Scott* v.